

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA

vs.

CASE No.: 03:00CR00043-039(PG)

ISRAEL RUIZ- SANCHEZ

a/k/a "Cao"

*** * * * ***

**MOTION NOTIFYING SUPERVISED RELEASE VIOLATIONS AND
REQUESTING AN ARREST WARRANT**

**TO THE HONORABLE JUAN M. PEREZ-GIMENEZ
U.S. DISTRICT COURT JUDGE
DISTRICT OF PUERTO RICO**

COMES NOW, MALISSA Y. APONTE, U.S. PROBATION OFFICER of this Court,
notifying the Court of supervised release violations and requesting a warrant be issued for Israel
Ruiz-Sánchez.

On July 12, 2002, Mr. Ruiz-Sánchez appeared before this Honorable Court for sentencing
having previously plead guilty to federal narcotics laws violations, specifically Conspiracy to Possess
with intent to Distribute at least 400 but not more than 500 grams of cocaine in violation of 21
U.S.C. § 846.

On said date, Mr. Ruiz-Sánchez was sentenced to thirty (30) months of imprisonment to be
followed by a three (3) year term of supervised release with the following special conditions:
urinalysis and drug treatment if deemed necessary, psychiatric and/or psychological evaluation to

determine if treatment is required and submit his person, residence and vehicle to search and seizure.

On April 19, 2004, Mr. Ruiz-Sánchez was released from the custody of the Bureau of Prisons, at which time his three (3) year term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

SPECIAL CONDITION: “The defendant shall participate in a substance abuse treatment program arranged and approved by the U.S. Probation Office until duly discharged by authorized program personnel with the approval of the probation officer, and submit to urinalysis whenever required to do so by the treatment program or the probation officer”.

As a result of the defendant’s continued drug use and refusal to enter an inpatient treatment program, he was referred to Dr. Cangiano for outpatient treatment on December 6, 2005. He attended his initial session with Dr. Cangiano on December 15, 2005. There on after, he failed to report for scheduled treatment sessions.

Mr. Ruiz-Sánchez’ continued non compliance pertaining to drug use and his failure to follow through with outpatient treatment, lead to his termination from said treatment. At that juncture, the Probation Office was prepared to request a warrant for Mr. Ruiz-Sánchez’ arrest. However, Mr. Ruiz-Sánchez ultimately agreed he needed help and would benefit from entering an inpatient program. On January 20, 2006, Mr. Ruiz-Sánchez was admitted to the Hogar San Jose Inpatient Program. Upon his completion of said program on February 3, 2006, Mr. Ruiz-Sánchez was again referred to Dr. Cangiano for continued outpatient treatment and random urinalysis.

Having resumed treatment with Dr. Cangiano on February 21, 2006, Mr. Ruiz-Sánchez, did

attend sessions on February 23rd and on March 7th, 2006. However, he has failed to appear to all other scheduled sessions since that time. On March 29, 2006, Mr. Ruiz-Sánchez, once again, found himself terminated from said treatment.

CONDITION #2: “The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month”.

Mr. Ruiz-Sánchez has failed to submit monthly supervision reports for the months of January, February and March of 2006.

CONDITION #7: ‘The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use distribute, or administer any controlled substance, or any paraphernalia related to any controlled substance, except as prescribed by a physician’.

_____On November 28, 2005, the defendant submitted a positive urine screen for cocaine and heroin. Although the defendant admitted the use of cocaine and alcohol, he denied the use of heroin. As such, the sample was forwarded to the laboratory which did confirm only the presence of cocaine. As a result of the defendant’s positive urine screen, he was placed in the random urinalysis color code program.

On December 6, 2005, the defendant reported, in accordance to the random urinalysis color code program, to submit a urine sample. However, he stalled and failed to submit a urine sample, admitting that he had used cocaine. The defendant signed an admission form pertaining to same.

On December 20th and on December 28th, 2005, the defendant failed to appear to submit a urine sample. As a result, these are, technically, considered positives for drug use.

On January 17, 2006, Mr. Ruiz-Sánchez stalled in providing a urine sample and opted, instead, to admit to cocaine use and signed an admittance form as to same. On January 20, 2006, prior to entering the Hogar San Jose Inpatient Program, Mr. Ruiz-Sánchez, opted to admit to cocaine

use in lieu of submitting a urine specimen. He signed an admittance form as to cocaine use.

Since his discharge from the Hogar San Jose Inpatient Program, Mr. Ruiz-Sánchez has failed to appear for treatment and urinalysis with Dr. Cangiano on March 13th, March 21st and March 29th, 2006. As a result, these are, technically, considered positive for drug use.

WHEREFORE, I declare under the penalty of perjury that the foregoing is true and correct. In view of the aforementioned violations, it is respectfully requested that the Court issue a warrant for Mr. Israel Ruiz-Sánchez' arrest and order the United States Marshal Service to produce Mr. Ruiz-Sánchez for revocation procedures.

In San Juan, Puerto Rico, this 19th day of April, 2006.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this date, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Sonia Torres, Assistant U.S. Attorney and José A. Suárez-Santa, Esquire.

At San Juan, Puerto Rico this 19th day of April, 2006.

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